



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EAG/AL/GP
F.#2010R00153

271 Cadman Plaza East
Brooklyn, New York 11201

June 18, 2012

By Hand Delivery and ECF

The Honorable Kiyo A. Matsumoto
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Theodore Persico
Criminal Docket No. 11-30 (KAM)

Dear Judge Matsumoto:

The government respectfully submits this letter to advise the Court of the status of the above-captioned case as to defendant Theodore Persico. On June 8, 2012, Persico pleaded guilty, pursuant to a plea agreement, to a superseding information, charging a conspiracy to murder Joseph Scopo in-aid-of racketeering. See United States v. Persico, Criminal Docket No. 10-147 (SLT) (ECF Docket Entry No. 563). Pursuant to the plea agreement, the government agreed, at the time of sentence of Persico in Criminal Docket No. 10-147, it "would move to dismiss . . . the 11 CR 30 Indictment as to the defendant with prejudice." Plea Agreement ¶ 6. Accordingly, the government respectfully requests that the defendant be excused from any further status conferences, including the conference scheduled for June 19, 2012, and that, upon consent, the Court exclude time from the speedy trial clock between the date of the upcoming

status conference, June 19, 2012, and the date of Persico's sentencing, which is currently scheduled for September 21, 2012.

Respectfully submitted,

LORETTA E. LYNCH
United States Attorney

By: /s/
Elizabeth A. Geddes
Allon Lifshitz
Gina Parlovecchio
Assistant U.S. Attorneys

cc: Clerk of the Court (KAM) (by ECF)
Elizabeth Macedonio, Esq. (by ECF)